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on May 7, 2008 by order of the Honorable
Laura T. Swain, District Court Judge.

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

OGNIBENE, et al.,

Plaintiffs,

-against-

C.A. No. 08 CV 01335 (LTS) (TDK)

PARKES, et al.,

Defendants.

**DECLARATION OF FRAN REITER
IN SUPPORT OF PLAINTIFFS' LOCAL RULE 56.1
STATEMENT OF UNDISPUTED FACTS**

I, Fran Reiter, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a registered lobbyist who is a former Deputy Mayor of the city of New York.

I have extensive political experience in New York City. I am over eighteen years of age and my statements herein are based on personal knowledge.

2. I am a plaintiff in this lawsuit. I am also the managing member of Reiter/Begun Associates, LLC, one of the plaintiffs in this lawsuit.

3. Because I am registered as a lobbyist, I am subject to the prohibition against giving gifts to public servants.

4. I would like the same rights as other citizens of the city of New York enjoy; namely, to give a token of appreciation to public servants if I believe they deserve it.

5. I have never given a gift to a public servant in an attempt to gain influence with the public servant or receive any quid-pro-quo of any type.

6. Reiter/Begun Associates, LLC is organized under the applicable law as a limited liability company. It has elected to be taxed as a partnership. Its business purpose is to provide services including, but not limited to, strategic planning and government outreach for its clients. At times, it engages in lobbying.

7. Reiter/Begun Associates does not possess the same state conferred benefits that are typical of corporations. For example, it is taxed as a partnership.

8. I consider myself to be pro-union.

9. It is generally recognized in New York City that unions in general, and municipal unions in particular, wield considerable influence with public officials. In a 2005 interview with the New York Times, Madeline Provenzano, who at the time was a member of City Council and who described herself as “pro-union,” said that unions are “more influential than lobbyists in the Council.” *See* “Council Bill Eases Restriction On Union Political Donations,” La Rue Decl., Ex. F.

10. It has been reported that unions and their members contribute significant financial resources and man-hours to campaigns. *See* “New Campaign Finance Rules Skip Unions,” La Rue Decl., Ex. E.


11. It has also been reported that unions depend on the government for their existence, and negotiate with the government for better pay and benefits. *See Id.*

12. Yet, unions, along with their officers, are allowed to contribute up to the regular contribution limits provided in section 3-703(1)(f) of the Code, while those defined as having business dealings (including *me*, as a registered lobbyist), are restricted to the lower, business dealings contribution limits.

13. If a public official could engage in pay-to-play with lobbyists, he or she could also engage in pay-to-play with unions. Yet, union officials are generally not subject to the lower contribution limits, while lobbyists and those having business dealings with the City always are subject to the lower contribution limits.

14. I declare under penalty of perjury that the foregoing statements in this declaration are true and correct.

Executed on August 19, 2008.



Fran Reiter
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